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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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35525	7590	03/31/2006	EXAMINER	
IBM CORP (YA)			HO, THOMAS M	
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P.O. BOX 802333			PAPER NUMBER	
DALLAS, TX 75380			2134	

DATE MAILED: 03/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/620,350	Applicant(s) REID, WILLIAM J	
	Examiner Thomas M. Ho	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-14,16-24,26-38 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5, 16, 26 is/are allowed.
- 6) ☒ Claim(s) 1-3,5-14,16-24,26-38 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-3, 5-14, 16-24, 26-38, 40 are pending.
2. Claims 5, 16, and 26 are allowable.

Response to Amendments

3. Applicant's arguments have been fully considered, but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3, 6-14, 16-24, 27-38, 40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Applicant has recited the newly amended independent claims with the following limitation:
“wherein the downloaded changed security information is used to update a list of users or groups of users of at least one of files and resources associated with each of the plurality of servers.”

Art Unit: 2134

The Examiner is uncertain what is being updated:

- Is a “list” being updated? (wherein the list contains users “of files and resources” of the plurality of servers)
- Or are “files and resources associated with the plurality of servers” being updated, where the “list of users” of these resources are the clients who should be informed of this update.

For purposes of examination, the Examiner has taken the second interpretation.

Furthermore, the Applicant has recited the limitation “a list of users or groups of users”.

Does the Applicant mean that there exists a physical/digital list of users, where the list may also recite groups of users?

Or does the Applicant intend a broader claim where a list of users is loosely a set of users, or in the alternative (as applicant has recited), a “group of users”. A “list of users” combined in the alternative form to a “group of users” implies that the two are synonymous, and that a “list of users” does not explicitly call for a physical/digital “list”.

For purposes of examination, the Examiner has taken the second interpretation.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 6-14, 17-24, 27-38, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Gannon University Norton Antivirus Configuration” and “Windows NT server 4.0”.

In reference to claim 1:

“Gannon University Norton Antivirus Configuration” discloses a method of updating security configurations of a plurality of servers, comprising:

- Changing security information in a centralized server, where the security information changed is the virus definition file which the user will download, and the centralized server is the site the antivirus program downloads the virus definition from. Gannon (page 1, figure in the middle, virus definitions dated 9/22/1999)
- Receiving an update command, where the update command is received through liveupdate to update the virus definition file. Gannon (page 3, figure at the top)
- Downloading the changed security information to the plurality of servers in response to receiving the update command, wherein the downloaded changed security information is

used to update a list of users or groups of users of at least one of files and resources associated with each of the plurality of servers, where the changed security information is the new virus definition file and is downloaded to a plurality of servers in response to receiving the update command, and where the groups of users are the users who subscribed to the Norton Antivirus service Gannon (page 5, Item 5)

“Gannon University Norton Antivirus Configuration” fails to explicitly disclose the method of claim 1, wherein a plurality of servers are updated. “Gannon University Norton Antivirus Configuration” instead teaches that a plurality of computers running Windows NT are updated.

Windows NT server 4.0 discloses the Windows NT server software which may turn a computer into a server. As suggested by its name, Windows NT server 4.0 is a particular “flavor” of Windows NT. It is subset and a specific denomination of Windows NT. Running Windows NT server on a system would allow it to perform server functions, changing the nature of a computer to functionally be a “server”.

- “Gannon University Norton Antivirus Configuration” (page 1, figure 1, “using virus definitions dated 9/22/1999) and “Windows NT server 4.0” discloses the method of claim 1, wherein the security configurations of the plurality of servers are updated by updating security parameter lists associated with at least one of files and resources associated with each of the plurality of servers, where the security configuration is the configuration for

virus files, where the plurality of servers are the multiple clients using Norton antivirus running on windows NT server, and the security parameters are virus definitions, and the security parameter list is the list of virus definitions contained inherently contained in the virus definition file, and an update is performed using liveupdate.

In light of the disclosure by “Gannon University Norton Antivirus Configuration” that each computer being updated may run “Windows NT”, it would have been obvious to one of ordinary skill in the art at the time of invention to have each client of Norton Antivirus run the more specific flavor “Windows NT server” and to have the centralized liveupdate server run Windows NT server 4.0 in order to provide the advantage of greater software compatibility between each system.

In reference to claim 2:

“Gannon University Norton Antivirus Configuration” fails to explicitly disclose the method of claim 1, wherein the plurality of servers are windows NT servers and the centralized server is a directory server.

“Gannon University Norton Antivirus Configuration” however does teach that Norton is compatible with a computer running windows NT. (Bottom of page 1) “Gannon University Norton Antivirus Configuration” also teaches that clients using Norton has the ability to check for virus updates from a centralized server.

Norton Antivirus(Page 1) teaches that windows NT servers may be used as the platform on which to run Norton. (This is meant as a reference to clarify details regarding the use Norton Antivirus and is not used in the 103 combination)

“Gannon University Norton Antivirus Configuration” also does not teach if the centralized server is a directory server or not.

The Examiner takes official notice that using Windows NT server was well known at the time of invention as it was a widely available commercial product.

Windows NT server 4.0 (page 197) discloses that windows NT server may also act as a directory server.

It would have been obvious to one of ordinary skill in the art at the time of invention to have each client of Norton Antivirus run on Windows NT server and to have the centralized liveupdate server run Windows NT server 4.0 within which directory server functions are performed in order to allow for greater compatibility between the clients (running windows NT server) and the centralized server (running windows NT server).

In reference to claim 3:

Art Unit: 2134

Windows NT server 4.0 (page 199, figure 7.12) discloses method of claim 1, wherein the centralized server is a directory server and wherein changing the security information includes using an editor to change a directory listing in the centralized server.

In reference to claim 6:

“Gannon University Norton Antivirus Configuration” fails to disclose the method of claim 1, wherein the update command is received from a network administrator.

A network administrator is merely a person, another user whose function it is to perform network administration tasks. The occupation of the client running Norton Antivirus can be anyone: a banker, a student, a lawyer, or a painter or anyone that wishes to use Norton Antivirus.

“Gannon University Norton Antivirus Configuration” (page 3) discloses the person who sends the update command is whoever is using the software at the time.

It would have been obvious to one of ordinary skill in the art at the time of invention for a network administrator to send the update command in order for the network administrator to perform his or her job duties of providing security for the network.

In reference to claim 7:

Art Unit: 2134

“Gannon University Norton Antivirus Configuration” (page 3) discloses the method of claim 1, wherein the update command is received at scheduled periodic times.

In reference to claim 8:

“Gannon University Norton Antivirus Configuration”(page 3) and “Windows NT server 4.0” discloses method of claim 1, wherein the update command is received from one or more of the plurality of servers, where the update command is received from a user running Norton antivirus on windows NT server.

In reference to claim 9:

“Gannon University Norton Antivirus Configuration” and “Windows NT server 4.0” fails to disclose a method wherein the centralized server is a light weight directory access protocol server.

The examiner takes official notice that the lightweight directory access protocol, or LDAP is well known to those of ordinary skill in the art. LDAP defines a standard manner of organizing directory hierarchies and a standard interface for clients to interface with access directory servers.

It would have been obvious to one of ordinary skill in the art to use the lightweight directory access protocol in the central server because LDAP has broad industry support, and runs directly over TCP/IP.

In reference to claim 10:

Art Unit: 2134

“Gannon University Norton Antivirus Configuration” discloses the method of claim 1, wherein downloading the changed security information includes filtering a directory listing stored on the centralized server to extract the changed security information, where the filtering of a directory listing to extract the security information is inherent.

Norton Antivirus downloads a virus definition file from a centralized server. The centralized server, owned by Symantec systems periodically updates to create new virus definition files. It is inherent that the virus definition file that the client download be located in a directory structure of some kind. For example:

C:\my documents\new files\virus_updates.dat

To access this file, a directory listing is inherently filtered through to access that file.

In reference to claim 11:

“Gannon University Norton Antivirus Configuration” discloses the method of claim 1, wherein the security configurations are updated by filtering the downloaded changed security information to extract only necessary update information for updating the security configurations and then updating the security configurations based on the extracted necessary update information, where the information necessary to update the security information taken is the virus definition file and the updating process once the file has been downloaded is inherent to Norton Antivirus.

In reference to claim 32:

“Gannon University Norton Antivirus Configuration” & “Norton Antivirus 5.0 for Windows NT Servers” discloses method in a data processing system for updating access information for a plurality of servers, the method comprising:

- Collecting changes to access information at the data processing system to form modified access information, where the access information is virus definition information which is accessed from the central server, and the changes are collected to form a newly updated set of virus identification collected by antivirus research center. “Gannon Norton Antivirus 5.0 for Windows NT Servers” page 4-5
- Responsive to a policy, transferring the modified access information to the plurality of servers, wherein the modified access information is used to update a list of users or groups of users of at least one of files and resources associated with the plurality of servers, where the policy is simply a rule dictating when the transfer of data or the update is to take place. “Gannon University Norton Antivirus Configuration” (page 3), and where the access information, the virus definition file, is transferred in update process. “Gannon University Norton Antivirus Configuration” (page 4), and where the group of users are the users who subscribed to the Norton Antivirus service.

No motivation is required to combine, because it is understood that “Norton Antivirus 5.0 for Windows NT Servers” is a reference which provides more details as to the nature of Norton Antivirus, the use of which has already been disclosed by “Gannon University Norton Antivirus

Configuration”, and the combination with windows NT which has been established as set forth in the rejection of claim 2.

Claims 13, 38 are rejected for the same reasons as claim 2.

Claim 24 is rejected for the same reasons as claim 3.

Claims 17, 27 are rejected for the same reasons as claim 6.

Claims 19, 29 are rejected for the same reasons as claim 8.

Claims 20, 30 are rejected for the same reasons as claim 9.

Claims 12, 23, 37 are rejected for the same reasons as claim 1.

Claims 18, 28, 34, 36 are rejected for the same reasons as claim 7.

Claims 21, 31 are rejected for the same reasons as claim 10.

Claim 22 is rejected for the same reasons as claim 11.

Conclusion

7. The following art of record not relied upon is made of record:

- US patent 5151989 discloses a distributed data processing system with abstract that reads as follows:

An improved directory caching technique is provided for a plurality of data processing systems which are connected together in a network. In the system, when a local, or client, data processing system interrogates a remote, or server, data processing system for a unit of directory information, the server system is enabled to automatically send additional units of pertinent director information back to the client system in response to a subsequent change in the

Art Unit: 2134

directory structure of the server system. If the server system is unable to continue updating the client system, for any of a plurality of possible reasons, the server system informs the client system of this fact, which enables the client system to purge itself of the formerly stored directory cache entry relative to this path, since the client system can no longer consider this cached path information to be currently correct.

- US patent 5790848 is a method and apparatus for data access and update in a shared file environment
- US patent 5835911 describes a software update and distribution method with abstract that reads as follows:

A number of sets of software may be systematically distributed and maintained via a network connecting many vendors and users of client/server software. A client program in a user computer detects when software subject to maintenance is activated and transmits an inquiry over the network to the software vendor's computer for information on the current version of the software. The server program compares data in the inquiry with data relating to the latest version of the software and returns update instruction information and updated software if appropriate. The client program automatically updates the software to the latest version according to the update instruction information when it is received. The client program can also send inquiries at predetermined times, or in response to a user command. The inquiry can include a request for purchase information in which case the server checks qualifications of the user, processes the inquiry according to vendor management data and returns the requested software, if appropriate. Other inquiries can also be made in response to user commands or automatically, e.g., to obtain information on the most recent version and transmission of data from client to server in response to an abnormal termination of client software.

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of the final action and the advisory action is not mailed under after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension pursuant to 37 CFR 1.136(A) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist	Telephone: 571-272-2100	Fax: 571-273-8300
Customer Service Representative	Telephone: 571-272-2100	Fax: 571-273-8300

TMH

Application/Control Number: 09/620,350

Page 15

Art Unit: 2134

March 17th, 2006


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER